GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

STARRED QUESTION NO:56
ANSWERED ON:19.07.2017
Misleading Advertisements
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Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

a) Whether a sharp rise in turnover of entertainment and advertisement industries has been reported in the country during the last four years;

(b) if so, the details of the annual turnover of these industries during the years 2014-15, 2015-16 and 2016-17;

(c) the segment of the information and broadcasting sector i.e. print, electronic media, wall painting and other which received maximum number of advertisements along with the revenue generated therefrom;

(d) whether incidents of misleading the common man through these advertisements have come to the light and if so, the details thereof; and

(e) the corrective action taken by the Government in this regard?

Answer

THE MINISTER OF INFORMATION & BROADCASTING
(SMT. SMRITI ZUBIN IRANI)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 56 FOR ANSWER ON 19/7/2017

(a) to (c) As per the Report of Indian Media and Entertainment Industry, 2017 released by Federation of Indian Chambers of Commerce and Industry (FICCI-KPMG), the details of annual turnover of the entertainment and advertisement industries alongwith the advertisement revenue generated by these industries among different segments during the last four years, i.e. from 2013 to 2016 is placed at Annexure.

(d) & (e) As regards in Print Media, Press Council of India (PCI), a statutory autonomous organisation under this Ministry has the power to adjudicate the complaints received by them, under Norms of Journalistic Conduct, 2010 emanated from Press Council Act, 1978. The Norms of Journalistic Conduct, 2010 inter-alia provides that no advertisements shall be published which promotes directly or indirectly sale, production or consumption of cigarette, tobacco products, wine, alcohol, liquor and other intoxicants. It also inter-alia prohibits advertisements having tendency to malign or hurt the religious sentiments for offend the provisions of the Drugs and Magical Remedies (Objectionable Advertisement) Act as amended in 2002. Further, PCI has received 11 complaint cases in 2015-16 to 2016-17 pertaining to misleading advertisements.

As regards in electronic media, Advertisements telecast on TV channels are required to adhere to the Advertising Code prescribed under the Cable TV Networks (Regulation) Act, 1995 and Rules framed thereunder. As per existing regulatory framework there is no pre-censoring on advertisements. Action is taken whenever violation of Code is brought to the notice of the Ministry.

Rules 7(5) of Cable Television Networks (Regulation) Rules, 1994 specifically provides 'No advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or super-natural property or quality, which is difficult of being proved'. Ministry has constituted an Inter-Ministerial Committee (IMC) to take cognizance suo-motu or to look into specific complaints regarding contents on private TV channels. IMC functions in a recommending capacity. This Ministry has received a total of 280 complaints on misleading advertisements during the period 2015 to 2017 (till 30.6.2017).

An advisory was issued by the Ministry on 21.8.2014 advising all TV channels not to telecast advertisements which were found to be violating provisions of Cable Television Networks Rules, 1994, ASCI Code and also Drugs & Magic Remedies (Objectionable Advertisement) Act, 1954.

The Department of Consumer Affairs have established Grievances Against Misleading Advertisement (GAMA) Portal, through which a common man can lodge a complaint against misleading advertisements. These complaints are processed by Advertising Standard Council of India (ASCI) under an MoU with Department of Consumer Affairs. The total number of incidents/complaints received by Department of Consumers during the 2015-16 to 2016-17 is 3368.

As part of the self-regulatory initiative of the industry, Advertising Standard Council of India (ASCI), a regulatory body of advertisement industry, self regulates advertising content to monitor and decide on complaints against advertisements making misleading, false and unsubstantiated claims.

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